

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 9339**
Tomoki HAMAMOTO et al. : **Mail Stop: PCT**
Serial No. 10/573,385 : **Attorney Docket No. 2006_0434A**
Filed March 24, 2006 :

PROCESS FOR PRODUCING
CMP-N-ACETYLNEURAMINIC ACID
[Corresponding to PCT/JP2004/013760
Filed September 21, 2004]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

SUBMISSION OF EXECUTED DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the PTO Notification of Missing Requirements Under 35 USC 371 dated February 5, 2007, submitted herewith is a Declaration for the above application executed by the inventors. Also enclosed is the Sequence Listing in paper and computer readable form which are identical and contain no new matter, as required by 37 CFR 1.821(e).

Also enclosed are the PTO surcharge of **\$130.00** required by 37 CFR 1.492(h), and a copy of the PTO notice.

It is respectfully submitted that the application is now complete, and early indication thereof is now requested.

Respectfully submitted,

Tomoki HAMAMOTO et al.

By Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
May 7, 2007

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

(X) Original () Supplemental () Substitute (X) PCT () DESIGN

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: PROCESS FOR PRODUCING CMP-N-ACETYLNEURAMINIC ACID

of which is described and claimed in:

() the attached specification, or

(X) the specification in application Serial No. 10/573,385, filed March 24, 2006, and with amendments through _____, or

(X) the specification in International Application No. PCT/JP2004/013760, filed September 21, 2004, and as amended on (if applicable).

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code, §119 (and §172 if this application is for a Design) of any application(s) for patent or inventor's certificate listed below and have also identified below any application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	2003-334484	September 26, 2003	Yes

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

And I hereby appoint Michael R. Davis, Reg. No. 25,134; Matthew M. Jacob, Reg. No. 25,154; Warren M. Cheek, Jr., Reg. No. 33,367; Nils Pedersen, Reg. No. 33,145; Charles R. Watts, Reg. No. 33,142; Michael S. Huppert, Reg. No. 40,268; Jeffrey R. Filipek, Reg. No. 41,471, and W. Douglas Hahm, Reg. No. 44,142 who together constitute the firm of WENDEROTH, LIND & PONACK, L.L.P., as well as any other attorneys and agents associated with Customer No. 000513, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

A03-0096/Y5 0008
U.S.

I hereby authorize the U.S. attorneys and agents named herein to accept and follow instructions from MIDORI INTERNATIONAL CORPORATION as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and myself. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by me.

Direct Correspondence to:		Direct Telephone Calls to:	
<p align="center">CUSTOMER NO. 000513</p>		<p align="center">WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021</p> <p align="center">Phone: (202) 721-8200 Fax: (202) 721-8250</p>	
Full Name of First Inventor	FAMILY NAME HAMAMOTO	FIRST GIVEN NAME Tomoki	SECOND GIVEN NAME
Residence & Citizenship	CITY Sapporo-shi	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 1-7-204, Shinkotoni 5-Jyo 2-Chome, Kita-ku, Sapporo-shi, Hokkaido 001-0905, Japan	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Second Inventor	FAMILY NAME NAGAOKA	FIRST GIVEN NAME Kuniaki	SECOND GIVEN NAME
Residence & Citizenship	CITY Choshi-shi	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 1-12, Suehiro-cho, Choshi-shi, Chiba 288-0042, Japan	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Third Inventor	FAMILY NAME NOGUCHI	FIRST GIVEN NAME Toshitada	SECOND GIVEN NAME
Residence & Citizenship	CITY Choshi-shi	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan
Post Office Address	ADDRESS 1-12, Sakae-cho 2-chome, Choshi-shi, Chiba 288-0812, Japan	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fourth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Fifth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE
Full Name of Sixth Inventor	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY ZIP CODE

I further declare that all statements made herein of my own knowledge are true, and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1st Inventor	<u>Tomoki Hamamoto</u> Tomoki HAMAMOTO	Date	<u>March 27, 2007</u>
2nd Inventor	<u>Kuniaki Nagaoka</u> Kuniaki NAGAOKA	Date	<u>March 27, 2007</u>
3rd Inventor	<u>Toshitada Noguchi</u> Toshitada NOGUCHI	Date	<u>March 27, 2007</u>

The above application may be more particularly identified as follows:

U.S. Application Serial No.	<u>10/573,385</u>	Filing Date	<u>March 24, 2006</u>
Applicant Reference No.	<u>A03-0096/YS0008</u>	Attorney Docket No.	<u>2006 0434A</u>
Title of Invention	<u>PROCESS FOR PRODUCING CMP-N-ACETYLNEURAMINIC ACID</u>		